

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

BEVERLY A. CASON

§

v.

§

CIVIL ACTION NO. 5:06cv227

COMMISSIONER, SOCIAL SECURITY

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition.

Plaintiff filed objections. Plaintiff emphasizes that the Veterans Administration finding that Plaintiff has a 60% disability due to chronic obstructive pulmonary disease, 20% due to her ankle impairment, and an overall rating of 100% disability. A medical source's statement that a claimant is "disabled" or "unable to work" does not mean that the Social Security Administration (SSA) will determine that the claimant meets the statutory definition of disability. 20 C.F.R. § 416.928 (e)(1). Other agencies' determinations are not binding on SSA. *Loza v. Apfel, Comm'r of Soc. Sec.*, 219 F.3d 378, 393 (5th Cir. 2000); *see also* 20 C.F.R. § 404.1504.

This Court has made a *de novo* review of Plaintiff's objections and determined that the objections lack merit. This Court finds that the Magistrate Judge's findings and conclusions are correct and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED**; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 24th day of March, 2008.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE